

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAKEN SHIPPING CORPORATION,

Petitioner,

vs.

KELLSTONE, INC. AND INLAND
BULK TRANSFER CO.,

Respondents.

CASE NO. 07 CIV 8859

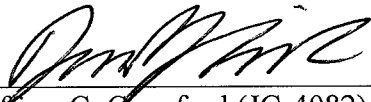
HON. BARBARA S. JONES

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed Affidavit of Daniel J. Endick, sworn to November 19, 2007, together with all exhibits attached thereto, the accompanying Memorandum of Law, and all the papers and proceedings had herein, Respondents, Kellstone, Inc. and Inland Bulk Transfer Co. (collectively “Respondents”), by and through counsel, will move this Court, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court, for an Order pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, dismissing the Petitioner Laken Shipping Corporation’s (“Laken”) Petition to Confirm Arbitration Award (“Petition”) on the grounds that this Court lacks subject matter jurisdiction over Laken’s Petition, together with such other and further relief and this Court deems just and proper.

Dated: New York, New York
November 19, 2007

MOUND, COTTON, WOLLAN & GREENGRASS
Attorneys for Respondents,
Kellstone, Inc. and Inland Bulk Transfer Co.

By 

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CERTIFICATE OF SERVICE

The foregoing document was filed electronically with the Court on November 19, 2007. Notice of this filing was sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Daniel J. Endick

Daniel J. Endick